

Upcoming Dates

- DBE Room Jan 29, 2003, Colonial, Helena
- Bid Letting Jan 30, 2003, MDT Helena
- **DBE Activity Report Due January 31st**

Training Opportunity for DBEs

It is up to you if this training is offered. Currently, classes are not offered in Montana. ESI International, 20 years serving Fortune Global 500 organizations worldwide will schedule a class if there is interest. Workshop Choices are "Winning New Business" (3 days, \$1,116.00) or "Construction Contracting" (5-days, \$1,196.00) The workshop would be scheduled in mid to late March in Helena. The full description of the workshops is attached.

Price is discounted plus you can use your annual reimbursement funds (\$600). DBE Supportive Services will provide an additional \$200 per company towards the class registration fees. You will pay for the class and DBE Supportive Services will reimburse you for the class registration costs.

This training will be scheduled if at least 15 people will commit to register for the class. Please contact Rebecca by January 17th if interested and I can schedule the class. Another option is to attend these classes at out-of-state locations (contact me for more information).

MONTANA DBE PROGRAM

Darren Kaihlanen, DBE Program Manager
dkaihlanen@state.mt.us (406) 444-9229

Debbie Riemann, DBE Program Specialist
driemann@state.mt.us (406) 444-6337

Rebecca L. Johnson, DBE Supportive Services Manager
rejohnson@state.mt.us (800) 883-5811, (406) 444-7287

Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

Office Location/Address: 2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592
Visit us on-line at www.mdt.state.mt.us and click on Civil Rights Bureau



Rock Slide on US Highway 93, 1995

New Version of Expedite 5.1a, Electronic Bid Software

Contact Contract Plans at 444-6215 or download from www.mdt.state.mt.us

8th Annual Small Business Opportunities Conference

Montana's premiere forum for government marketing.

Business to agency networking opportunity. Business classes are available also. **When:** February 11-12, 2003

Where: Billings Hotel and Convention Center **Cost:** \$100/person. **Who:** Big Sky Economic Development Authority 406-256-6871 or

<http://www.bigskyeda.org/PTAC/events.htm>

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Montana DBE Company Monthly Update

Recently Re-Certified DBE Companies

A & S Development and Construction – Poplar, MT
A. Laugeni & Sons, Inc. – West Haven, CT
AM Tech Services, LLC – Helena, MT
Beard Environmental & Technical Assistance – Elliston, MT
Benge Construction Co., Inc. – Tualatin, OR
C & A Small Trucking – Busby, MT
Garcia and Associates – San Anselmo, CA
Herrera Environmental Consultants, Inc. – Seattle, WA
Highway Specialties, Inc. – Black Eagle, MT
Kristin Darr & Associates, LLC – Phoenix, AZ
L.A. Olson & Associates, Inc. – Billings, MT
McDevitt Associates, Inc. – Billings, MT
Montana Lines, Inc. – Great Falls, MT
Morning Star Trucking, LLC – Belgrade, MT
Mountain States Title Services – Helena, MT

Correction: Northwest Resource Consultants is located in Helena, MT not Billings as stated in last month's newsletter. Our apologies for the error.

Department of Defense Indian Incentive Program

The Department of Defense (DoD) Indian Incentive Program (IIP) strives to provide opportunities to Indian organizations and Indian-owned economic enterprises, by providing for the payment of 5 percent of the amount subcontracted to an Indian organization or Indian-owned economic enterprise at any sub-tier, when authorized under the terms of the contract. (\$8 million available for incentive payments to prime contractors)

For more info, go to this web site:
<http://www.acq.osd.mil/sadbu/iip>

Summary of American Subcontractors Association Killer Contract Clauses Workshop October 22, 2002, Bozeman by Rebecca Johnson

Some things to consider when negotiating contracts:

- Are you responsible for materials stored at site or does General Contractor sign off and take title of materials on site?
- Know whom you are working with. Be sure you know your general contractor and have evaluated your risk.
- When including prime contractor as Additional Insured – is it broad form indemnity? is your company assuming responsibility/risk for others? Check if your company is at risk with this coverage. The state of Oregon banned additional insured clauses.

Watch what your company invoices state for interest charges on overdue invoices. Under MCA 2001 31-1-107 parties may agree for the payment of any rate of interest that does not exceed the greater of 15% or an amount that is 6 percentage points per annum above the prime rate. Under MCA 2001 31-1-108 Penalty for usury – the charging a rate of interest greater than is allowed by 31-1-107 shall be deemed a forfeiture of a sum double the amount of interest which has been agreed to be paid thereon. Watch the customary statement on invoices of a 1.5% interest rate charge on overdue invoices – it may cost you.

American Subcontractors Association offers products to help subcontractors manage their business. American Institute of Architects A201 "General Conditions of the Contract for Construction" \$45.00 or the American Institute of Architects A401 "Standard Form of Agreement Between Contractor and Subcontractor" \$33.00 or Fundamentals of Fair Subcontracts CD-ROM \$39.00. Go to www.contractorsknowledge.org or call 888-374-3133.

HEALTH CARE COVERAGE By State Auditor John Morrison, Montana Insurance Commissioner

Operating a small business presents many challenges in today's economic climate. Among the top concerns of many small-business owners is providing employees with health insurance.

The major concerns about health care coverage include price, access and service.

For most companies, health insurance is a tremendous expense, second only to payroll. Business owners want to feel confident that their monthly expenses will be manageable and their employees can afford their premium contribution, deductible and co-pay costs. When reviewing health plans, compare each plan's ability to control and anticipate costs. Ask for a history of rate increases and decreases.

It is equally important that employees be able to receive medical care reasonably close to home or work, and can choose from a large network of providers. Review each health plan's physician network to determine if the number and location of doctors will allow employees convenient access to medical care. Also, determine if it provides adequate coverage for policyholders' needs or if it is catastrophic coverage, which may cover only emergencies. Make sure the benefits will protect employees and make the expense worthwhile.

A key factor in choosing a health insurance company should be its ability to provide hassle-free assistance. Ask other business owners if their employees are satisfied with their plan's service. Ask them about their insurer's benefit payment history and claim turn-around time. Ask doctors what they think of particular plans.

The National Association of Insurance Commissioners has a Web site that provides complaint ratios for insurance companies, which is a good indicator of quality and service. The Web site address is www.naic.org/servlet/cis.Main [<http://www.naic.org/servlet/cis.Main>](http://www.naic.org/servlet/cis.Main).

After determining the insurance needs and priorities of a business and its budget, employers will have many types of plans to choose from, in addition to a variety of companies that sell them. A simple way to shop for a plan is to call an independent agent who usually can provide quotes from more than one insurer.

Small-employer group coverage is an option for employers to consider if they have two to 50 employees. The law states that policies must be issued if the group coverage applies, without regard to the health status of the employees and dependents.

Health insurance options include:

Indemnity Plans - Members typically pay a specified dollar amount (or deductible) for the benefits they receive. After they pay their deductible, members pay a percentage of medical costs (co-pay). Employees generally have access to the doctors they prefer for most types of medical care, but it might be of greater cost to employees and may not provide coverage for preventive care. Members typically must document the entire claims process with paperwork.

Preferred Provider Organization Plans - A network of doctors has agreed to provide medical care to plan members at a discounted rate. If employees visit a preferred (in-network) provider, they typically pay less out of their own pocket because of a lower deductible, a lower co-pay amount and provider discounts. If they visit a doctor outside the network, they typically pay more and are reimbursed for less. Employees have the flexibility to choose any doctor, but will pay more for going outside the network. Usually they require less paperwork than indemnity plans, or no paperwork at all. The plans typically are more expensive and it is more difficult for employees to predict the cost of care when they use non-participating providers. Sometimes these plans do not offer preventive care and wellness programs.

Point of Service Plans - Members choose one primary care physician from the plan's network to coordinate their care. So long as they use that doctor to direct their care, including referrals to other doctors, members enjoy a low overall cost of care, such as a \$5 or \$10 office co-payment. When members visit doctors outside the plan's network, or fail to get a referral, they usually pay deductibles and coinsurance. These plans are designed to manage costs for employees while offering a choice of doctors. They generally feature preventive care and wellness programs. Choosing physicians outside the network increases costs and requires paperwork. Also, referrals are required from the member's physician before visiting most specialists to receive in-network benefits.

Health Maintenance Plans - After the full monthly premium is paid, the HMO is then responsible for coverage and for arranging the coordination of the delivery of care, so long as members receive care from the HMO's participating physicians. Members pay a small co-pay amount for medical care at the time of service and there is no paperwork. Outside the network, members usually must pay for their care out of their own pocket and deal with paperwork.

The Exams Bureau in the Montana Insurance Department in the State Auditor's Office can provide a list of health insurance companies that sold policies in Montana the previous year and what percentage of the state's premium they wrote. It is important to verify that any agent or company is licensed to sell insurance in Montana. The Exams Department also can provide the A.M. Best rating of a company, which indicates the financial solvency of a company compared to A.M. Best standards and other insurance companies. If you have questions or concerns about a health insurance plan, agent or company, call the Montana Insurance Department in the State Auditor's Office: 1-800-3332-6148 or in Helena at 444-2040.



Old Highway 90 Sign

In Progress

Highway Construction Bidding and Estimating Workshops for February-March in Helena and Billings. Please watch for notices.

MDT Contract Plans Section 2003 BID LETTING SCHEDULE

Advertisement	Bid Letting	Commission Award
Date	Date	Date
2-Jan-03	30-Jan-03	10-Feb-03
30-Jan-03	27-Feb-03	10-Mar-03
27-Feb-03	27-Mar-03	7-Apr-03
27-Mar-03	24-Apr-03	5-May-03
24-Apr-03	22-May-03	2-Jun-03
29-May-03	26-Jun-03	7-Jul-03
26-Jun-03	24-Jul-03	4-Aug-03
24-Jul-03	21-Aug-03	2-Sep-03
28-Aug-03	25-Sep-03	6-Oct-03
9-Oct-03	6-Nov-03	17-Nov-03
6-Nov-03	4-Dec-03	15-Dec-03

Secretary of State to Cut Business Filing Fees

Secretary of State Bob Brown announced Thursday that he will lower fees that companies must pay when they register to do business in Montana.

Close to 60,000 businesses are currently registered with the Secretary of State's Office, including about 5,000 new businesses that registered in 2002.

"As we've worked toward greater efficiency, we've discovered that our business fees are beginning to exceed our costs," Brown said. "So we need and want to return those efficiency savings to our customers."

Perhaps the biggest change, he said, will be the elimination of a cumbersome and confusing fee schedule for corporations. Currently, corporations pay anywhere from \$70 to \$1,000 to register with the Secretary of State's Office.

Under the new fee plan, the filing fee for all corporations will be \$70.

Other fee changes include:

- * A \$50 reduction in the registration fee for limited liability partnerships.

- * Elimination of \$5 fees to cancel registration of limited liability partnerships and assumed business names.

- * A reduction in the cost of ordering certificates of existence and authorization online using the Secretary of State's business search page: <http://app.discoveringmontana.com/bes/>.

The changes will take effect in the spring, following public hearings to revise the agency's administrative rules.

Brown said his office hopes to make it possible in the next couple of years for businesses to file annual reports online.

"When that happens, we intend to drop the fee for filing annual reports to reflect the greater efficiency that technology can provide," he said. "It costs our office less to do business online, and we believe it should cost our customers less, too." For more information, contact the Business Services Bureau of the Secretary of State's Office, (406) 444-3665 or TDD (406) 444-9068.

Montana DBE Room **Schedule for 2003**

West Coast Colonial Hotel
2301 Colonial Drive, Helena
Gallery Room (off front lobby)
5:00-9:00 PM

January 29, 2003

February 26, 2003

March 26, 2003

April 23, 2003

May 21, 2003

June 25, 2003

July 23, 2003

August 20, 2003

September 24, 2003

November 5, 2003

December 3, 2003

Quote of the Month

ENTHUSIASM IS... Traveling to work Monday morning at the same speed you go home on Friday afternoon.

Joe Heuer
Writer and Speaker



Reference and Background Check Guidelines

Many managers have experienced the difficulty caused by hiring a job candidate based on their perfectly manicured resume and then later discovering they did not have a complete understanding of their new employee's strengths and weaknesses. Unfortunately for employers, there are no concrete or absolute rules that determine how detailed a reference or background check they should conduct.

The level of reference or background check necessary will greatly depend on the position involved and the potential risk an employee in that position could present. Following are some general guidelines that should assist employers in making informed hiring decisions:

- If necessitated by the level of the position being hired, complete a background check before hiring any job candidate.
- Review the job candidate's resume for any break in their work history. Breaks in employment could reflect any number of issues including: imprisonment, hospitalization, substance abuse, or other potential employee problems.
- Obtain the job candidate's consent to contact their previous employers. Oftentimes, a job applicant's authorization may ease a previous employer's fear of defamation. A job applicant's reluctance to provide this type of consent may indicate difficulty in their previous position.
- Make use of professional references provided by the job applicant. Despite concerns about defamation, checking with past employers can confirm employment dates and job descriptions. In addition, employers usually are not hesitant to discuss former employees with excellent records.
- An employer's legal duty under the negligent hiring theory is to conduct a reasonable investigation.
- Verify the applicant's previous addresses. This allows the employer to ensure that the applicant lived where they stated and were not in custody.
- Employers should not investigate an applicant's history of workers' compensation claims. The Americans with Disabilities Act prohibits asking about an applicant's workers' compensation history before making a conditional offer of employment.
- Employers should document their efforts at performing background and reference checks.

EBR specializes in assisting employers with a wide range of employee recruitment and retention services. **For additional questions or other human resource related needs, please contact Employee Benefit Resources, LLP and ask for John Cummins, at 1-800-765-9429 or 1- 406-449-5500 (EXT 261).**

Some things you Can't ask in an interview:

How old are you?

What church do you go to?

Do you smoke?

What race are you?

Are you married?

Do you get alimony /child support?

Will you send a picture with your application?

What is your maiden name?

How much do you weigh?

Where were you born?

What is your sexual orientation?

What clubs do you belong to?

Are you pregnant?

Quoted from South Dakota's DBE Newsletter, Dec./Jan 2003

MT Contracting Opportunities

MDT Highway Construction Projects Invitation for Bids

For the quickest and most complete information of these projects as they are advertised for bid, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Invitation for Bids, Letting of January 30,2003

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00am on January 30, 2003. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form. These documents may be requested by FAX (406) 444-7236, by mail or by calling (406) 444-6216, 6212 or 6215.

1. **D1 - Seismic Rehab, Federal Aid Project No. BH 0002(507)** Seismic bridge rehabilitation of three structures on the D1 – in Flathead County. DBE contract goals are 2.0%.
2. **2 Km. S. of Winston-South, Federal Aid Project No. NH 8-4(42)65** Widening, milling, plant mix bituminous overlay, seal and cover on 13.9 km. of U.S. 287 on the 2 km South of Winston-South Road in Broadway County. DBE contract goals are 2.5%
3. **1998-D3-Electrical, Federal Aid Project No. STPHS-IM 0002(627)** Installation flashers, lighting and barriers on the 1998D3-Electrical project in Cascade and Lewis and Clark Counties. DBE contract goals are 0.0%.
4. **Blackfoot River – 12 km NE of Helmville, Federal aid project No. BR 41-1(16)32** Grading, gravel, plant mix and the construction of a 57-meter steel girder structure on the Blackfoot River – 12 km NE of Helmville project in Powell County. DBE contract goals are 2.0%.
5. **Hilger – North, State Project No. SPCS 236-1(11)0** Crack sealing and seal and cover on 37.8 km of the Hilger – North project in Fergus County. No DBE contract goals.
6. **Jackson – East, State Project No. SFCS 278-1(16)35** Plant mix surfacing with seal and cover on 12.2 km of the Jackson-East project on Secondary 278 in Beaverhead County. No DBE contract goals.
7. **Clark Fork-East of Drummond, Federal Aid Project No. BR 9039(33)** Replacement of a through truss bridge with a 61-meter 2-span pre-stressed concrete structure on the Clark Fork-East of Drummond project in Powell County. DBE contract goals are 3.0%.
8. **Muggins Creek-2 km North of Myers, Federal Aid Project No. BR 9052(17)** Grading, gravel, and installation of a 4300 mm x 2700 mm reinforced concrete box culvert on the Muggins Creek-2 km North of Myers project on a county road in Treasure County. DBE contract goals are 0.0%.

Considering Hiring a New Employee?

From South Dakota DBE News, Dec/Jan 2003

Before you even consider placing a help wanted ad, you need to decide if you really do need a new employee. Consider the following:

- Are you getting all of the production out of your current staff that you can?
- Is there a way to shuffle a few responsibilities so that you don't have to hire a new person?
- Can the work be outsourced cheaper?
- Will your current revenues justify the addition of a new employee's added costs?
- Will the addition of the new employee generate more revenue for you?
- Will the new hire be part of your envisioned future growth?

MT Contracting Opportunities (Continued)

Gravel Aggregate ESQ030106 Response Date Jan 24, 2003 Total Small Business Set Aside BLM MONTANA STATE OFFICE 5001 SOUTHGATE DR PO BOX 36800 BILLINGS MT 59107 Supply, load, transport, off load and stockpile 12,000 ton of gravel that meets gradation specifications. Site for stockpile is along Knox Ridge Road. Lori Mading contracting officer 4068965196 lori_mading@mt.blm.gov Place of Performance Fergus County, MT 59457 <http://www.epa.gov/spg/DOI/BLM/NBC/ESQ030106/listing.html>

DACA67-03-R-0207 Replace Family Housing Units, Phase 6A, Malmstrom Air Force Base, MT 1/28/03 Closing Date 2/27/03 The project consists of constructing 18 units in a duplex configuration, 8 units, 4 buildings, at Minuteman Village and 10 units, 5 buildings, at the Matador Manor area. Both sites will include access road in a cul-de-sac design with underground utilities and infrastructure. The housing components consist of two-story design, with no basements. Features include composition roof, insulated windows, some units with window shutters, carpeting, vinyl tile, porcelain floor tile, single car garage, landscaping and yard fencing. This solicitation will be issued as an Electronic Bid Set, and will be available to download on or about 28 January 2003 at: <http://www.nws.usace.army.mil/ct>. Visit the Corps of Engineers web site at <http://www.nws.usace.army.mil>, and for additional contracting opportunities, visit the Army Single Face to Industry at <http://acquisition.army.mil/>.

The City of Billings, an Equal Opportunity Employer, requests bids for design-build contracting firms to construct a skatepark for the City of Billings Parks, Recreation and Public Lands Department. Detail specifications and instructions for the submission of bids are listed here or are available at the Office of the Director of the Parks, Recreation and Public Lands Department, 390 North 23rd Street, Billings, Montana 59101 and at the City Clerk's Office at City Hall, 210 North 27th Street, Billings, Montana 59101. For additional information please contact Don Kearney at 657-8369 or by email at Kearneyd@ci.billings.mt.us. All bids must be submitted to the City Clerk no later than 2:00 p.m. on Tuesday, January 14, 2003. The City encourages proposals by qualified DBE/WBE Businesses. <http://www.bid-search.com/cgi-bin/databases/display.pl?DOCID=12-00028&KWDS=>

Upcoming Projects

MT PFH 59-1(1), Beartooth Highway PreSolicitation No: DTFH70-01-B-00032 Yellowstone National Park, Park County, Montana; approximately 134 km east of Gardiner, MT 8 km of grading, drainage, base and asphalt concrete pavement \$5 million - \$10 million Tentative Ad Date: 02/14/03 Tentative Bid Opening Date: 03/18/03 Western Federal Lands Highway Division <http://www.wfl.fha.dot.gov/edi/future.htm>

MT PRA-GLAC 10(17) & 10(18) Going to the Sun Road Wall Repair, Phase III and Phase IV

PreSolicitation No: DTFH70-03-B-00003 Glacier National Park, Flathead County, Montana; approximately 60 km northeast of Columbia Falls, MT 1 km of grading, drainage, base, paving and walls \$5 million - \$10 million Tentative Ad Date: 02/14/03 Tentative Bid Opening Date: 03/18/03 Western Federal Lands Highway Division <http://www.wfl.fha.dot.gov/edi/future.htm>

Construct Roads, Parking Lots and Airbase Taxiway, Missoula Fire and Technology Center, MT Presolicitation Notice DACW67-03-B-0004 Response Date Feb 20, 2003 US Army Engineer District, Seattle - Civil Works, ATTN: CENWS-CT, PO Box 3755, Seattle, WA 98124-3755 Widening Montana Highway 10 to include shoulder and turning/deceleration lanes. Add and delete interchanges from Highway 10 to Forest Service facility access road. Grade, pave and provide storm sewer system for new Forest Service access road and parking lots. Add sidewalks and facility signage and highway signage. New pavement and subgrade improvements and drainage improvements to Airbase taxiway. Project is open to both large and small business. Firms must register via the Internet at the following address: <http://www.nws.usace.army.mil/ct/> in order to receive notification of solicitation/amendment posting. The solicitation will be available for download on or about January 21, 2003 Susan Newby, 206-764-6780 susan.f.newby@nws.usace.army.mil <http://www.epa.gov/spg/USA/COE/DACA67/DACW67-03-B-0004/listing.html>

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED



Those were the good old Montana winters